

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

GILBERT GITHERE,

Plaintiff,

v.

CONSOLIDATED AMUSEMENT
CORPORATION, LTD.; ALOHA
STADIUM AUTHORITY, INC., and
John Tellis, General Manager,

Defendants.

CIVIL NO. CV04 00116 DAE LEK

DECLARATION OF COUNSEL

DECLARATION OF COUNSEL

I, TAMARA M. GERRARD, hereby declare under penalty of perjury that the following is true and correct to the best of my knowledge:

1. I am an attorney duly licensed to practice in the State of Hawaii and represent Defendants and Judgment Creditors CONSOLIDATED AMUSEMENT CORPORATION, LTD and JOHN TELLIS (hereinafter, collectively, "Defendants") in the above-entitled matter.

2. I make this declaration based upon my own personal knowledge and declare under penalty of perjury that the following is true and accurate:

3. Attached hereto as Exhibit "A" is a true and correct copy of the September 12, 2006 Letter from Office of the Clerk, United States Court of

Appeals for the Ninth Circuit and Time Schedule Order that I received on September 16, 2005.

4. Attached hereto as Exhibit "B" is a true and correct copy of Plaintiff's Motion for Enlargement of Time to file Opening Brief, dated December 16, 2005.

5. Attached hereto as Exhibit "C" is a true and correct copy of the December 30, 2005 Order issued by the Clerk of Court for the United States Court of Appeals for the Ninth Circuit.

6. Attached hereto as Exhibit "D" is a true and correct copy of Plaintiff's Motion for Second Enlargement of Time to File Opening Brief, dated January 3, 2006.

Executed this 6th day of February, 2006 at Honolulu, Hawaii.



TAMARA M. GERRARD